

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

STARR G. SNYDER,

Plaintiff,

vs.

AMERICAN OPTICAL CORP.; CLEAVER
BROOKS, INC.; DAP, INC.; HONEYWELL
INTERNATIONAL, INC.; KAISER GYPSUM
COMPANY; and MINE SAFETY
APPLIANCES COMPANY, LLC.;

Defendants.

8:20CV73

ORDER TO SHOW CAUSE

Federal Rule of Civil Procedure 4(m) provides, “If a defendant is not served within 90 days after the complaint is filed, the court -- on motion or on its own after notice to the plaintiff -- must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.” Fed. R. Civ. P. 4(m).

Plaintiff filed the Complaint on February 24, 2020. (Filing No. 1). More than 90 days has elapsed since the Complaint was filed. Although some defendants have appeared and/or filed answers to the Complaint, to date, Plaintiff has not filed any return of service indicating service on defendants Honeywell International, Inc. and Kaiser Gypsum Company, a waiver of service has not been filed, those defendants have not entered a voluntary appearance, and Plaintiff has not requested an extension of time to complete service on those defendants. Accordingly,

IT IS ORDERED that Plaintiff shall have until **June 12, 2020**, to show cause why this case should not be dismissed pursuant to Federal Rule of Civil Procedure 4(m) or for want of prosecution as to defendants Honeywell International, Inc. and Kaiser Gypsum Company. Failure to timely comply with this order may result in dismissal of this action as to Honeywell International, Inc. and Kaiser Gypsum Company without further notice.

Dated this 27th day of May, 2020.

BY THE COURT:

s/Michael D. Nelson
United States Magistrate Judge